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10 Attorneys for Plaintiff The Guardian Insurance  
 11 and Annuity Company, Inc.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15 THE GUARDIAN INSURANCE AND  
 16 ANNUITY COMPANY, INC., a  
 17 corporation,

18 Plaintiff,

19 vs.

20 CARLA M. UNTERMANN, an  
 21 individual; PHILLIP UNTERMANN,  
 22 an individual; BRENDA CAMILLI, an  
 23 individual; JOANNE L. GRIGGS, an  
 24 individual; LISA CAMILLI, an  
 25 individual; KATHLEEN BUTLER  
 26 CAMILLI, an individual; RICHARD L.  
 27 CAMILLI, an individual; DOLPH F.  
 28 CAMILLI, an individual; DIANNE R.  
 ABRAHAM, an individual; DOUGLAS  
 J. CAMILLI, an individual; BRUCE P.  
 CAMILLI, an individual; SPCA OF  
 SAN MATEO, CALIFORNIA;  
 DIANNE R. ABRAHAM, as Successor  
 Trustee of the Dolph L. Camilli Bypass  
 Trust; WILLIAM H. SHEA, JR., as  
 Successor Trustee of the Gerda M.  
 Camilli Survivor Trust; CHRIS  
 CAMILLI, an individual, and DOES 1  
 through 10, inclusive,

Defendants.

Case No: C 07 3557 CRB

**STIPULATION TO EXTEND TIME  
 TO PETITION THE COURT TO  
 VACATE THE CONDITIONAL  
 DISMISSAL**

1 Plaintiff The Guardian Insurance and Annuity Company, Inc. ("the  
2 Guardian"), and Defendants Diane R. Abraham, as an individual and as Successor  
3 Trustee Of The Dolph L. Camilli Bypass Trust, William H. Shea, Jr., as Successor  
4 Trustee Of The Gerda M. Camilli Survivor Trust, and the Peninsula Humane  
5 Society & SPCA (incorrectly named in the complaint as "SPCA of San Mateo,  
6 California"), jointly submit this stipulation to extend the time to petition the Court  
7 to vacate the conditional dismissal.

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9 On May 7, 2008 the Court ordered that this case be dismissed without  
10 prejudice provided that within sixty days (July 7, 2008), if the agreed consideration  
11 for settlement has not been delivered over, upon certification by any party, the  
12 dismissal shall be vacated and the case restored to calendar.

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14 The Stipulation for Discharge, Dismissal, and Liquidation of Annuity  
15 Contracts ("Stipulation for Discharge"), which will dispose of this case in its  
16 entirety, has been circulated to the thirteen Defendants, including those residing  
17 outside of the United States. To date, three of the Defendants, who are in pro per,  
18 have not executed the Stipulation for Discharge and returned it to Plaintiff's  
19 counsel.

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1 DATED: June 23, 2008

2 KIMBERLEY A. FONNER  
3 LAW OFFICE OF KIMBERLEY A.  
4 FONNER

5 By: /s/Kimberley Fonner  
6 (As authorized on June 23, 2008)  
7 KIMBERLEY A. FONNER  
8 Attorney for Peninsula Humane Society  
9 & SPCA

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## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

THE GUARDIAN INSURANCE AND  
ANNUITY COMPANY, INC., a  
corporation,

Plaintiff,

vs.

CARLA M. UNTERMANN, et al.,

Defendants.

CASE NO.: C 07 3557 CRB

**ORDER GRANTING EXTENSION  
OF TIME FOR CONDITIONAL  
DISMISSAL**

IT IS HEREBY ORDERED that the parties are granted an extension of time to petition the Court to vacate the dismissal. The case remains dismissed without prejudice. If the parties' anticipated Stipulation for Discharge, Dismissal, Liquidation of Annuity Contracts, Etc. is not filed with the Court within 60 days of this order, upon certification by any party, the dismissal shall be vacated and the case restored to calendar.

DATED: \_\_\_\_\_

United States District Court Judge